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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,175	02/13/2002	James Clough	10015194-1	8984

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EXAMINER

THOMAS, ASHISH

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/076,175

Applicant(s)

CLOUGH ET AL.

Examiner

Ashish K. Thomas

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 11-16 and 22-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-16 and 30-33 is/are allowed.
- 6) ☒ Claim(s) 1-9, 22-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 6/19/2006 have been fully considered but they are not persuasive.

In page 8, lines 5-8 of the Remarks, the Applicant suggests that in view of the newly amended claims 1, 22, and 26, Jeyachandran does not read on these claims anymore.

In reply, the Examiner believes that Jeyachandran still reads on the amended claims. A modified rejection is put forth for claims 1, 22, and 26 in view of the newly presented subject matter. The remaining claims are rejected in the same manner as presented in the previous office action.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1, 5, 6, 8, 9, 22, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,567,176 by Jayachandran et al.

Regarding claim 1, Jayachandran discloses a method comprising:

- Receiving a print job identifying a print destination; (**Column 36, lines 62-64** illustrates the reception of a print job. This reference further teaches that destination information is received with the print job.)
- Determining a first location associated with a source of the print job; (**Column 37, lines 8-16** discloses addresser information being acquired from print job data. Note that the addresser information corresponds to the source of a print job.)
- Determining a second location associated with the print destination; (Meanwhile, **column 36, line 62-column 37, line 16** divulges a designated addressee. The addressee mentioned in this reference reads on the second location associated with the print destination cited in the current application.)
- Determining a printing policy of the print job, the printing policy being based on the first location associated with the source of the print job and the second location associated with the print destination; (Column 37, lines 16-35 describes a printing policy that determines whether an addresser or addressee is designated and then selects an output tray

based on the designation. Particularly, **column 37, lines 22-27** discloses the capability to select an output tray(reads on printing policy) based on the source of print job as well as its destination.)

- And communicating the print job to the print destination if the print job satisfies the printing policy. (**Column 37, lines 16-45** describes the print job being transmitted to an appropriate location.)

Regarding claim 22, Jeyachandran discloses a server which identifies(reads on manages) devices coupled to a network(**column 31, lines 24-28**). Furthermore, the rejection of claim 1 is applicable in this instance since both claims discuss similar subject matter.

Regarding 26, it divulges the same subject matter found in claim 1. So the rejection of claim 1 is employed here.

Regarding claims 5 and 6, Jeyachandran discloses identifying a communications port(address) of the source and destination(**column 3, lines 8-16**).

Regarding claim 8, Jeyachandran discloses the job is received by a print server(The Abstract, lines 1-5).

Regarding claim 9, Jeyachandran discloses the destination is a printer(column 37, lines 2-7).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 2, 23, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jeyachandran in view of U.S. Patent Number 6,978,299 by Lodwick

Regarding claims 2, 23, and 27, Jeyachandran differs from claims 2, 23, and 27 in that he does not clearly disclose deleting the print job if it does not satisfy the printing policy. Lodwick discloses deleting a print job after it has been stored for a specified period (column 10, lines 13-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Jeyachandran wherein the job is deleted if a printing policy is not satisfied. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Jeyachandran by the teaching of Lodwick in order to conserve memory in the printer.

2. Claims 3, 4, 7, 24, 25, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jeyachandran in view of Yacoub (U.S. 6,552,813).

Regarding claims 3, 4, 7, 24, 25, 28, and 29, Jeyachandran differs from claims 3, 4, 7, 24, 25, 28, and 29 in that he does not clearly disclose determining whether the first and second locations are in a common facility (or same location). Yacoub discloses determining whether the printer (destination) is located physically near the user (source) (the abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Jeyachandran wherein it is determined whether the source is in a common facility as the destination. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Jeyachandran by the teaching of Yacoub in order to achieve ease of use.

***Allowable Subject Matter***

1. Claims 11-16 and 30-33 are allowed.

Regarding claim 11, it is allowed for the reasons cited in page 9 of the Remarks.

Regarding claims 13-16, they depend on claim 11.

Regarding claim 12, it is allowed for the reasons cited in page 9 of the Remarks.

Regarding claims 30-33, they depend on claim 12.

***Conclusion***

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashish K. Thomas whose telephone number is 571-272-0631. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER